

IN THE CLAIMS:

Please amend the claims as indicated below.

1. (Currently Amended) A wireless communication device, comprising:

5                   a controller to control transmission of data; and  
                  a rate fallback mechanism that reduces a retransmission rate only for a current  
frame ~~when of said transmitted data if~~ an acknowledgement is not received for said current  
frame, wherein said reduced retransmission rate is progressively decreased to at least one of two  
or more lower data rates ~~selected from a group of more than one transmission rate~~.

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2. (Original) The wireless communication device of claim 1, wherein said retransmission rate is  
not reduced until a predefined number of equal rate attempts have been performed.

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3. (Original) The wireless communication device of claim 1, wherein a transmission rate for a  
subsequent frame is selected based on an available signal quality.

4. (Original) The wireless communication device of claim 1, wherein said retransmission rate is  
progressively reduced until an acknowledgement is received for said current frame or a retry  
count for said current frame is exceeded.

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5. (Original) The wireless communication device of claim 1, wherein said retransmission rate is  
selected from a table of available rates.

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6. (Original) The wireless communication device of claim 5, wherein said table of available  
rates is populated with at least a portion of rates supported by a receiving station.

7. (Original) The wireless communication device of claim 1, wherein said retransmission rate is  
determined by an algorithm that selects said retransmission rate based on current conditions

8. (Original) The wireless communication device of claim 1, wherein said device is implemented in accordance with the IEEE 802.11 Standard.

9. (Original) The wireless communication device of claim 1, wherein said rate fallback mechanism restores a transmission rate that was in use before said retransmission rate was reduced.

10. (Original) The wireless communication device of claim 1, wherein said rate fallback mechanism proceeds directly to a fallback state if a signal quality is not sufficient to support a data rate associated with an equal rate retry.

11. (Currently Amended) A method for wireless communication, comprising the steps of:

transmitting one or more frames; and

reducing a retransmission rate only for a current frame when an acknowledgement is not received for said current frame, wherein said reduced retransmission rate is progressively decreased to at least one of two or more lower data rates ~~selected from a group of more than one transmission rate~~.

12. (Original) The method of claim 11, further comprising the step of performing a number of equal rate attempts before performing said reducing step.

13. (Original) The method of claim 11, further comprising the step of selecting a transmission rate for a subsequent frame based on an available signal quality.

14. (Original) The method of claim 11, wherein said reducing step is performed iteratively until an acknowledgement is received for said current frame or a retry count for said current frame is exceeded.

15. (Original) The method of claim 11, wherein said reducing step further comprises the step of selecting said retransmission rate from a table of available rates.

16. (Original) The method of claim 15, wherein said table of available rates is populated with at  
5 least a portion of rates supported by a receiving station.

17. (Original) The method of claim 11, wherein said reducing step further comprises the step of selecting said retransmission rate based on current conditions.

10 18. (Original) The method of claim 11, wherein said method is performed in accordance with the IEEE 802.11 Standard.

19. (Original) The method of claim 11, further comprising the step of restoring a transmission rate that was in use before said retransmission rate was reduced.

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20. (Original) The method of claim 11, wherein said reducing step proceeds directly to a fallback state if a signal quality is not sufficient to support a data rate associated with an equal rate retry.

21. (Currently Amended) A wireless communication device, comprising:

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a controller to control transmission of data; and

a rate fallback mechanism that reduces a retransmission rate for a current frame  
when of said transmitted data if an acknowledgement is not received for said current frame and  
increases said retransmission rate for a subsequent frame, wherein said reduced retransmission  
rate is progressively decreased to at least one of two or more lower data rates selected from a  
25 group of more than one transmission rate.

22. (Original) The wireless communication device of claim 21, wherein said retransmission rate is not reduced until a predefined number of equal rate attempts have been performed.

23. (Original) The wireless communication device of claim 21, wherein a transmission rate for a subsequent frame is selected based on an available signal quality.

24. (Original) The wireless communication device of claim 21, wherein said retransmission rate  
5 is progressively reduced until an acknowledgement is received for said current frame or a retry count for said current frame is exceeded

25. (Original) The wireless communication device of claim 21, wherein said rate fallback  
10 mechanism restores a transmission rate that was in use before said retransmission rate was reduced.